

REMARKS

Per Examiner's request on page 6 of the Office Action, SEQ ID NO.s have been added to the specification.

Rejection under 35 USC §101 and §112

Claims 53 and 54 are rejected under 35 USC §101 and §112, as set forth on page 2 of the Office Action. There appears to be confusion as to claims 53 and 54 (see page 3 of Office Action). The subject application entered the U.S. from PCT US2004/012799. In accordance with the rules (35 USC §371, National Stage Entry) Applicant filed three copies of the Specification on 10/21/05: a copy each of the published International Application, a Substitute Specification and a marked-up copy of the specification to show the differences between the International Application and the substitute specification (see copy of postcard receipt attached). The Substitute Specification contains the correct claim set, wherein claim 54 has been deleted and claim 53 has been amended to recite: "A pharmaceutical composition comprising an inhibitor of Stat5 activity." The Examiner's rejections under 35 USC §101 and §112 for "use" claims 53 and 54 and the request for their correction appear to be based on the claim sets of the International Application and the marked-up copy. Applicant respectfully directs the Examiner to the Substitute Specification for a correct claim set and since such claim set has already been provided to the Office on 10/21/05 under the 35 USC §371, National Stage Entry submission, Applicant is not filing a claim set concurrently with this Amendment. Applicant respectfully requests the Examiner to withdraw these rejections.

CONCLUSION

If the Examiner believes that a telephone conference with Applicant's representative would prove helpful in expediting the prosecution of this application, the Examiner is urged to call the undersigned at 1-617-646-8250.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 23/2825 under Order No. G0762.70004US01.

Dated: *May 27, 2008*

Respectfully submitted,

By

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Via: Express Mail: Airbill No. EV 543597757 US		Atty Dkt No.: GUH-P01-005
Inventor: Marja T. Nevalainen		
Application No. 10/554123 (Not Yet Assigned)		Filing Date: October 21, 2005
Title: METHODS AND COMPOSITIONS FOR THE INHIBITION OF STAT5 IN PROSTATE CANCER CELLS		

Documents Filed:

- Transmittal Letter to the United States Designated-Elected Office (3 pages)
- Application Data Sheet (2 pages)
- Substitute specification (49 pages)
- Marked-Up Copy of Specification (48 pages)
- Second copy of published International Application
- Certificate of Express Mailing (1 page)

Ropes & Gray

Charge \$1,725.00 to deposit account 18-1945

Sender's Initials: PG/jiv	NOV 10 2005 Date: October 21, 2005
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Intellectual Property Dept.

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